



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. ....10/694,080  
 Filing Date .....10/24/03  
 Inventorship .....Relyea et al.  
 Assignee..... Microsoft Corporation  
 Group Art Unit .....  
 Examiner .....  
 Attorney's Docket No. .... MS1-1779US  
 Confirmation No. ....4089  
 Title: Programming Interface for a Computer Platform

**PETITION TO SUSPEND RULES PURSUANT TO RULE 1.183**

To: Commissioner for Patents  
 PO Box 1450  
 Alexandria, Virginia 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256; Fax 509-323-8979)  
 Customer No. 22801

Applicant submits that the subject application was filed under extraordinary circumstances. The application contains content from a Software Development Kit (SDK) for the Microsoft® Windows® Code-Named "Longhorn" operating system. The SDK contains documentation for the Microsoft® Windows® Code-Named "Longhorn" operating system.

The application was filed with two duplicative sets of three compact discs (CD-Rs) each labeled "Copy 1" and "Copy 2". The two sets of compact discs are identical. The compact discs in each set, and files stored thereon, may be read using a Windows®-based computing device (e.g., IBM-PC, or equivalent) that executes a Windows®-brand operating system (e.g., Windows® NT, Windows® 98, Windows® 2000, Windows® XP, etc.). The first compact disc in each set of three compact discs (CD 1 of 3) includes a file folder named "lhsdk" that was

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1 created on October 22, 2003; it is 586 Mbytes in size, contains 9,692 sub-folders,  
2 and contains 44,292 sub-files. The second compact disc in each set of three  
3 compact discs (CD 2 of 3) includes a file folder named "ns" that was created on  
4 October 22, 2003; it is 605 Mbytes in size, contains 12,628 sub-folders, and  
5 contains 44,934 sub-files. The third compact disc in each set of three compact  
6 discs (CD 3 of 3) includes a file folder named "ns" that was created on October  
7 22, 2003; it is 575 Mbytes in size, contains 9,881 sub-folders, and contains 43,630  
8 sub-files.

9 Due to the large number of files stored on these three compact discs,  
10 including a paper statement of all the files contained on the compact disc including  
11 their names, sizes in bytes, and dates of creation would require several thousand  
12 pages of paper.

13 Accompanying this petition are two duplicative compact discs labeled  
14 "Copy 1" and "Copy 2". The two compact discs are identical. The two compact  
15 discs, and files stored thereon, may be read using a Windows®-based computing  
16 device (e.g., IBM-PC, or equivalent) that executes a Windows®-brand operating  
17 system (e.g., Windows® NT, Windows® 98, Windows® 2000, Windows® XP,  
18 etc.). Each compact disc conforms to the International Standards Organization (ISO)  
19 9660 standard, and the contents of each compact disc is in compliance with the  
20 American Standard Code for Information Interchange (ASCII). Each compact disc  
21 stores the following three files:

<u>File Name</u>	<u>Size</u>	<u>Date</u>
TABLE1.TXT	5,181,563 bytes	8/19/04
TABLE2.TXT	5,756,136 bytes	8/19/04
TABLE3.TXT	5,054,712 bytes	8/19/04

1 Each of these three files contains a table that has more than 50 pages of  
2 text. These tables list the files included on the two duplicative sets of three  
3 compact discs (CD-Rs) each labeled "Copy 1" and "Copy 2" filed with the  
4 application.

5 As required in the Notice to File Missing Parts for the present application,  
6 accompanying this petition is a statement listing all the files contained on the sets  
7 of three compact discs filed with the application, including their names, sizes in  
8 bytes, and dates of creation and a preliminary amendment listing all the files  
9 contained on the sets of three compact discs filed with the application, including  
10 their names, sizes in bytes, and dates of creation for the specification.

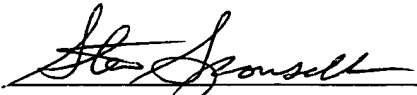
11 Applicant hereby requests, pursuant to Rule 1.183, suspension of Rule  
12 1.52(e)(3)(ii) to allow the transmittal letter listing of all the files contained on the  
13 sets of three compact discs filed with the application, including their names, sizes  
14 in bytes, and dates of creation, to be submitted in the tables on the accompanying  
15 discs. Applicant further hereby requests, pursuant to Rule 1.183, suspension of  
16 Rule 1.52(e)(5) to allow the specification listing of all the files contained on the  
17 sets of three compact discs filed with the application, including their names, sizes  
18 in bytes, and dates of creation, to be submitted in the tables on the accompanying  
19 discs.

20 Applicant's counsel, Allan Sponseller (Reg. No. 38,318), discussed this  
21 matter with Michael Lewis of the USPTO on August 17, 2004. Submission of this  
22 petition along with the tables on the accompanying duplicate discs and  
23 accompanying amendment to the specification was determined to be the most  
24 appropriate course of action to ensure compliance with the filing requirements.  
25

1 The Office is hereby authorized to charge petition fees set forth in § 1.17(h) to  
2 our Deposit Account is 12-0769.

3 Respectfully submitted,

4  
5 Dated: 8-30-04

6 By:   
7 Steven R. Sponseller  
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